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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Christoph Nemmaier

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SCHIFF HARDIN, LLP
PATENT DEPARTMENT
6600 SEARS TOWER
CHICAGO, IL 60606-6473

EXAMINER

DONABED, NINOS J

ART UNIT

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2444

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/527,507	Applicant(s) NEMMAIER ET AL.	
	Examiner NINOS DONABED	Art Unit 2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 46-58,60 and 61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 46-58,60 and 61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/05/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This action is in responsive to Applicant's amendment dated 02/05/2009. Claims 46, 49, 50, 53, 55, 58, and 61 have been amended. Claim 59 has been cancelled. Claims 46-58 and 60-61 are pending.

Information Disclosure Statement

With regards to the IDS filed on 03/05/2009, foreign documents, 1-272248 and 2002-198968 have not been considered because not English translation of any part or the whole of the Documents has been provided.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 46-55 and 57-61 rejected under 35 U.S.C. 103(a) as being unpatentable over Barnard et al., (United States Patent No. 6,920,506) in view of Aschenbrenner (U.S. 6738153.)

Regarding **Claim 46**,

Barnard teaches a method for simplifying maintenance, adjustment, or error analysis of a data object in a printer or copier, comprising the steps of: **(See Figure 9**

and Column 2 Line 61 through Column 3 Line 23, Barnard discloses a method for control of a printer or copier)

providing an external data processing unit external to the printer or copier and its control panel and which accesses the printer or copier via an interface as a first data line for said at least one of maintenance, adjustment, or error analysis of said data object; **(See abstract, figures 8-11. and column 13 lines 9 – column 14 line 65, Barnard teaches an external control unit connected to a printer.)**

providing in said printer or copier at least a first control unit and a second control unit and a second data line between said first and second control units for transferring data, said first control unit being connected to said external data processing unit by said first data line, and said second control unit having at least one of said data objects stored in a storage region thereof, said data object comprising a parameter for control of the printer or copier, at least one of said data objects not being controllable from the control panel of the printer or copier; associating a first identifier as a first network address with the first control unit and associating a second identifier as a second network address as a second control unit; and **(See Figure 9 and Column 6, Lines 25-54, Barnard teaches a printer with which data objects could be stored transmitted through out and ultimately printed.**

Barnard does not explicitly disclose associating a third identifier as a third network address which is different than said second identifier second network address with the data object to enable a simplified direct access to the data object by said

external control unit for said at least one of maintenance, adjustment, or error analysis of said data object.

Aschenbrenner teaches associating a third identifier as a third network address which is different than said second identifier second network address with the data object to enable a simplified direct access to the data object by said external control unit for said at least one of maintenance, adjustment, or error analysis of said at least one data object, a position of the at least one data object in the network being determined by said third network address. **(See figures 3-6 and column 7 line 1 to column 8 line 53 and claim 8 and 23, Aschenbrenner teaches a third identifier as a third network address which is different than a second identifier.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have known to combine Aschenbrenner with Barnard because both deal with management of printers and printer functions. The advantage of incorporating associating a third identifier as a third network address which is different than said second identifier second network address with the data object to enable a simplified direct access to the data object by said external control unit for said at least one of maintenance, adjustment, or error analysis of said data object of Aschenbrenner into the system of Barnard is that raster components are processed and printed in proper sequential order which improves printer resolution with decrease in complexity making the system of Barnard more robust and efficient.

Regarding **Claim 47**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein the network addresses are hierarchically organized and the third network address is hierarchically subordinate to the second network address. **(See Column 11 Line 50 through Column 12 Line 12, Barnard)**

Regarding **Claim 48**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein the second network address is determined with aid of the third network address. **(See Column 11 Line 50 through Column 12 Line 12, Barnard)**

Regarding **Claim 49**,

Barnard and Aschenbrenner teach the method according to claim 47 wherein a transfer path for access to the at least one data object is predetermined by a hierarchical position of the third network address. **(See figures 6-8 and column 9 line 34 – column 10 line 56, Barnard.)**

Regarding **Claim 50**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein data of the at least one data object are read out from the storage region of the second control unit by the first control unit with aid of the third network address. **(See figures 9-13 and column 10 line 15 – column 11 line 56, Barnard.)**

Regarding **Claim 51**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein the first control unit and the second control unit respectively form a network node. **(See figures 1 and 9, Barnard)**

Regarding **Claim 52**,

Barnard and Aschenbrenner teach the method according to claim 48 wherein the third network address comprises a sub-address of the second network address. **(See figures 7-10 and column 8 line 05 – column 9 line 35, Barnard.)**

Regarding **Claim 53**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein for the at least one data object a value of the at least one data object parameter is changed. **(See figures 9-13 and column 10 line 15 – column 11 line 56, Barnard.)**

Regarding **Claim 54**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein the control units are hierarchically organized, the second control unit being hierarchically subordinate to the first control unit, and the network address of the second control unit being hierarchically subordinate to the network address of the first control unit. **(See figures 9-13 and column 12 line 35 – column 13 line 64, Barnard.)**

Regarding **Claim 55**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein at least one third control unit is provided that is connected with the second control unit via a third data line and is hierarchically subordinate to the second control unit, the data object being read out by the third control unit via the third data line. **(See figures 7-10 and column 9 line 15 – column 10 line 56, Barnard.)**

Regarding **Claim 57**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein data transfer over the first data line occurs with aid of the Simple Network Management Protocol. **(See Figure 9 and Column 11 Line 51 through Column 13 Line 12, Barnard discloses Simple Network Management Protocol)**

Regarding **Claim 58**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein routers are provided in the control units, the routers forwarding a read request to at least one network address hierarchically subordinate to the at least one data object. **(See Figures 7-9 and Column 10 Line 51 through Column 11 Line 12, Barnard)**

Regarding **Claim 59**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein a position of the data object in the network is determined with aid of the network address

of the data object. **(See figures 3-6 and column 7 line 1 to column 8 line 53 and claim 8 and 23, Aschenbrenner.)** See motivation claim 46.

Regarding **Claim 60**,

Barnard and Aschenbrenner teach the method according to claim 46 wherein the external control unit comprises a personal computer with software. **(See figures 8-9, and column 11, Barnard.)**

Regarding **Claim 61**,

Claim 61 is substantially the same as **claim 46** and is thus rejected for reasons similar to those in rejecting **claim 46**.

3. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnard et al., (United States Patent No. 6,920,506) in view of Aschenbrenner (U.S. 6738153) further in view of Official Notice.

Regarding **Claim 56**,

Barnard and Aschenbrenner teach the method according to claim 46.

Examiner is taking official notice as to wherein the first data line comprises an HDLC network, and the second data line comprises a CAN network.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have known that multiple types of networks could be used for the

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first and second data lines depending on needs in order to make the system most efficient.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection. Furthermore, in order to more clearly and distinctly point out Applicant's invention Examiner suggests further focusing on the connection between the control units and the data objects which can be found in the substitute specification on pages 3 and 4.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any response to this Office Action should be **faxed** to (571) 272-8300 or **mailed** to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NINOS DONABED whose telephone number is (571)270-3526. The examiner can normally be reached on Monday-Friday, 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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/N. D./

Examiner, Art Unit 2444

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2444